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James W. Myhre
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Harry E. Emerson, III, et al.** Group Art Unit: **2162**
Serial No.: **09/477,936** Examiner: **James W. Myhre**
Filed: **January 5, 2000**
For: **SYSTEM FOR MODIFYING AND TARGETING ADVERTISING**
CONTENT OF INTERNET RADIO BROADCASTS
Docket No.: **0021-46**

Morristown, N.J. 07960
August 14, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

RESPONSE UNDER 37 C.F.R. 1.116

In response to the office action dated April 9, 2002, in the above-identified application, the following remarks are filed. Claims 1-12 are under consideration.

REMARKS

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Applicants' invention as recited by claims 1-12 provides a method and system for the delivery of broadcast radio programs via the Internet. Means are provided by which commercials present in the program material, as originally generated at a radio station, may be identified and replaced by substitute commercials inserted by an Internet hosting service. The Internet's bi-directional and individual connectivity allows selection and transmission of replacement commercials that are of particular interest or relevance to a particular user. Demographic information characterizing the user may be maintained and used as a basis for this selection.

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